



Atty. Doc. No.: PTT-166/APP

**DECLARATION AND  
POWER OF ATTORNEY**  
(Utility Patent Application)

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below), of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"System and method for measuring data network quality."

the specification of which:

is attached hereto  
XX was filed on 4/16/04s Application Serial No. 10/826,167  
with amendment(s) filed \_\_\_\_\_  
\_\_\_\_\_ was filed as PCT international application:  
and was amended under \_\_\_\_\_

hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations section 1.56.

I hereby claim foreign priority benefits under Section 119 of Title 35, United States Code for the above-identified US patent application based on the patent or inventor's certificate identified below and having a filing date before that of the US patent application for which priority is claimed:

Priority Claimed

<u>Application No</u>	<u>Country</u>	<u>Filing Date under 35 USC 119</u>	
60/463,455	US	16 April 2003	YES

I hereby claim the benefit under Section 120 and/or Section 119(e) of Title 35 of the United States Code of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by Section 112 of Title 35 of the United States Code, I acknowledge the duty to disclose material information, as defined in Section 1.56 of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Patented</u>	<u>Pending</u>	<u>Status</u> <u>Abandoned</u>
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Power of attorney:

Power of attorney:

As a named inventor, I hereby appoint:

Peter L. Michaelson (Reg. No. 30,090)  
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as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office in connection therewith.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


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Signature:  \_\_\_\_\_

Date: 21 APR 2004